

REMARKS

Reconsideration and allowance are respectfully requested. Claims 1-12, 25-53, and 68-84 are currently pending. Claims 1-84 were generally rejected under 35 U.S.C. §§ 112 and 103(a). Claims 1-12 and 40-53 are indicated as allowable if the rejection under § 112 is overcome. Applicant kindly thanks the Examiner for the allowability of these claims. Claims 13-24 and 54-67 are cancelled by entry of this amendment. Applicant requests reconsideration of all remaining claims in view of the amendments and remarks herein.

DRAWINGS

The Examiner requests correction of the Drawings submitted with the application upon filing. Applicant submits formal drawings in response to the Examiner's request, in conjunction with the accompanying letter to the official draftsperson. Applicant requests reconsideration.

Rejection of Claims 1-12, 20, 40-53, 57-60 and 71-74 under 35 USC § 112

Claims 1-12, 20, 40-53, 57-60 and 71-74 are rejected as being indefinite under 35 USC § 112. The Examiner states that the limitations "without the intermediary step of producing hard copies of the pages", "wherein the software comprises software to show a list of headings, to receive a list of headings from the list and to retrieve the pages...", and "but which is not included in the document" are indefinite. Applicant has amended the claims to more clearly recited the rejected limitations. Applicant kindly thanks the Examiner for the helpful suggestions. Reconsideration is respectfully requested.

Rejection of Claims 13-39 and 68-84 under 35 USC § 103

Claims 13-39 and 68-84 stand rejected under 35 USC § 103 over U.S. Patent No. 5,963,966 to Mitchell et al. ("Mitchell") itself or in view of combinations of Stern U.S. Patent No. 6,161,107 and Barrett, U.S. Patent No. 4,918,588. The Examiner states that Mitchell fails to teach obtaining a document from electronic storage such as a print queue where data has been converted into a format appropriate for printing as cited.

Applicant has amended Claims 25 and 68 to recite a capturing device adapted to receive electronic data stored as data in a print queue and dispatch it to the persistent electronic storage medium as a viewable file. Such added claim limitation imparts structural features to the claims to describe that the claimed system is able to capture information, stored as data in a printer queue, and dispatch it to the persistent storage area. *In re Venezia*, 530 F.2d 956, 189 U.S.P.Q. (BNA) 149 (C.C.P.A. 1976) ('adapted to be fitted' over insulating jacket imparts structural limitation to sleeve rather than merely directing activities to take place in future.). The capturing device allows the document to be captured before a hard copy is produced, thereby not requiring a hard copy of the document in order to create the viewable file that is ultimately stored in the persistent storage area.

For the above reasons, Applicants respectfully request that the §103 rejections based on Mitchell, Stern and/or Barrett be withdrawn.

CONCLUSION

All objections and rejections having been addressed, it is respectfully submitted that the present application is in condition for allowance, and a Notice to that effect is earnestly solicited.

Any fees associated with the filing of this paper should be identified in an accompanying transmittal. However, if any additional fees are required in connection with the filing of this paper, permission is given to charge Account No. 18-0013 in the name of Rader, Fishman & Grauer PLLC.

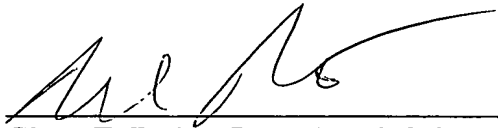
Respectfully submitted,

Date: July 28, 2003

Customer No. 32127

Telephone No. (248) 594-0600

By:



Glenn E. Forbis, Reg. No. 40,610
Michael R. Bascobert, Reg. No. 44,525
Rader, Fishman & Grauer PLLC
39533 Woodward Avenue, Suite 140
Bloomfield Hills, Michigan 48304
Attorneys for Applicant